

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED

AUG 5 2019

United States of America

v.

BRYAN CRAIG ALLEN

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY SJS DEP CLK

Case No.

5:19-mj-1937-RN

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2018 to June 2018 in the county of Cumberland in the  
Eastern District of North Carolina, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 641	Theft of Government Property

This criminal complaint is based on these facts:

See Attachment.

☒ Continued on the attached sheet.



Complainant's signature

Joseph M. Duracinsky, Special Agent, DCIS

Printed name and title

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means and was placed under oath.

Date: August 5, 2019



Judge's signature

City and state: Raleigh, North Carolina

Robert T. Numbers, II United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

IN THE MATTER OF THE CRIMINAL  
COMPLAINT OF:

)  
) UNDER SEAL  
)

BRYAN CRAIG ALLEN

)  
) Case No. 5:19-MJ-1937-RN  
)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Joseph M. Duracinsky, being first duly sworn, hereby depose and state  
as follows:

1. I am a Special Agent (SA) with the Defense Criminal Investigative Service (DCIS) and have been so employed since July 2016. Prior to this, I was a SA with the United States Secret Service (USSS) from November 2008 to July 2016. DCIS is the investigative arm of the Department of Defense (DoD), Office of Inspector General (OIG). I am currently assigned to the DCIS Raleigh Resident Agency, Raleigh, North Carolina. My duties and responsibilities as a DCIS agent are to investigate a number of criminal matters, to include contract fraud, wire fraud, false claims, theft of government property, computer-related crimes, and other frauds against the DoD. I received investigative training at the Federal Law Enforcement Training Center, Glynco, Georgia, and at the USSS Rowley Training Center, Laurel, Maryland.

INTRODUCTION

2. This affidavit is submitted in support of the Criminal Complaint filed against BRYAN CRAIG ALLEN (hereinafter ALLEN), date of birth XX/XX/1984. Based on

the facts set forth in this affidavit and my training and experience, your affiant respectfully asserts there is probable cause to believe ALLEN has stolen U.S. property with the intent to sell it in violation of 18 U.S.C. § 641.<sup>1</sup>

3. The information contained in this affidavit has been obtained from various sources. These sources include, but are not limited to, my training and experience, personal observations, participation in the federal investigation described herein, conversations with law enforcement officers and others with knowledge of the investigation, and the review of records obtained during this investigation. This affidavit is submitted for the limited purpose of establishing probable cause. It should not be construed to contain all facts known to me and other investigating agencies regarding the matter under investigation.

#### FACTS ESTABLISHING PROBABLE CAUSE

##### *Search Warrant at Red Horse Military Surplus*

4. On February 28, 2019, a search warrant for Red Horse Military Surplus (hereinafter RED HORSE), 6310 Yadkin Road, Fayetteville, North Carolina, was obtained from the U.S. District Court for the Eastern District of North Carolina, signed by Magistrate Judge James E. Gates. This search warrant was subsequently served at RED HORSE by agents of DCIS, Homeland Security Investigations (HSI),

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<sup>1</sup> "Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or [w]hoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted" is guilty of having violated 18 U.S.C. § 641.

and the U.S. Army Criminal Investigation Command (Army CID), as well as with other federal, state, and local law enforcement personnel. RED HORSE and its owner, Stratton "Mac" Beaubien (hereinafter **BEAUBIEN**), were suspected of dealing in stolen U.S. military property, including night vision devices. Among the items seized as evidence from RED HORSE were 13 unique AN/PSQ-20 ENVGs, NSN: 5855-01-534-6449, SNs: 88006143, 88006147, 88006138, 88006158, 88006165, 88007131, 88008026, 88006993, 88006977, 88008053, 88008064, 88008022, and 88006983.

5. An AN/PSQ-20 Enhanced Night Vision Goggle (ENVG), National Stock Number (NSN) 5855-01-534-6449, is a U.S. military sensitive item. When acquired by the DoD for the U.S. military, they are made to military specifications, and they require "demilitarization" and disposal/destruction in accordance with DoD policies when removed from service in the U.S. military. At present, "demilitarization" and disposal of AN/PSQ-20s is only to occur under special circumstances according to the Demilitarization Instructions because there are current requirements for AN/PSQ-20s to be fielded to units in the military. Accordingly, based on my knowledge, training, and experience, these items are not to be purloined from the U.S. military and sold for personal gain.

6. Subsequent investigation at Fort Bragg of these 13 AN/PSQ-20s revealed they were among a total of 43 unique AN/PSQ-20s that were removed/deleted from the Property Books of two companies from 4th Battalion, 3rd Special Forces Group (4/3SFG) between approximately April 9, 2018, and June 20, 2018.

7. Based upon interviews conducted and records received during investigation at Fort Bragg, U.S. Army Chief Warrant Officer (CW2) Bryan Craig Allen (ALLEN) was identified as the individual suspected of removing/deleting the 43 AN/PSQ-20s from the Property Books of the two companies from 4/3SFG. ALLEN was assigned as the Property Book Officer / Senior Property Account Technician for 4/3SFG for approximately three years until approximately the end of June 2018 when he moved to a different U.S. Army duty station from Fort Bragg. In his position as the Senior Property Account Technician for 4/3SFG, ALLEN had access to the Army's electronic logistics system to remove the AN/PSQ-20s from the companies' Property Books. Furthermore, interviews and records received suggested ALLEN personally obtained at least 22 of the AN/PSQ-20s from company personnel using paperwork indicating that ALLEN was transferring or turning-in the AN/PSQ-20s to another unit. The U.S. Army Unit Identification Code (UIC) "W45T01" was used as the receiving unit on all paperwork regarding these transfers. However, "W45T01" is not a valid UIC, and these items do not show up in any Property Book of other units.

8. Based on my knowledge, training, and experience, which includes previously serving as a U.S. Army Engineer Officer on active duty for approximately 6.5 years, and ALLEN's assigned duties as Property Book Officer / Senior Property Account Technician at the time, ALLEN knows AN/PSQ-20 ENVGs, NSN: 5855-01-534-6449, are U.S. military sensitive items that are regularly inventoried and accounted for by Serial Number (SN) via sensitive item inventories. They are accountable property assigned to a company's Property Book. They are not to be purloined from the U.S.



military and sold for personal gain, and doing so would be without authority.

9. According to a DoD database, ALLEN's home address is 6597 US 171, Anacoco, LA, and his phone number is 706-905-9782.

10. Pursuant to consent from BEAUBIEN, BEAUBIEN's cell phone was forensically imaged. A review of text messages on BEAUBIEN's phone revealed several communications with 706-905-9782 (ALLEN's phone number) including the following:

- a. April 6, 2018, from ALLEN – "You interested in a psq 20?"
- b. April 6, 2018, to ALLEN – "Yeah"
- c. April 8, 2018, from ALLEN – "How much per"
- d. April 8, 2018, to ALLEN – "Whats the conditions"
- e. April 8, 2018, from ALLEN – "Basically brand new"
- f. April 9, 2018, from ALLEN – "I have 2 of them what are you thinking"
- g. April 9, 2018, from ALLEN – ALLEN sent a photo of an AN/PSQ-20 ENVG, NSN: 5855-01-534-6449, SN: 88006950. This is one of the 43 AN/PSQ-20s that were removed from the Property Books.
- h. April 9, 2018, to ALLEN – "Are they alpha or bravo," "Complete sets or just units," and "I was hoping you had a number"
- i. April 9, 2018, from ALLEN – "2500 ea"
- j. April 9, 2018, to ALLEN – "Ill check with my guy. They have battery packs and mounts!?"
- k. April 9, 2018, from ALLEN – "Yep"

- l. April 16, 2018, from ALLEN – “I got one more 20 if your interested”
- m. April 16, 2018, to ALLEN – “Yeah”
- n. April 17, 2018, from ALLEN – “Would you want more psq 20s”
- o. April 17, 2018, to ALLEN – “Yeah I’ll buy them...How many?”
- p. April 17, 2018, from ALLEN – “4”
- q. April 24, 2018, from ALLEN – “Hey bro I got 4 more psq20s you interested?”
- r. April 24, 2018, to ALLEN – “Yeah”
- s. May 24, 2018, from ALLEN – “You want any more psq20s”
- t. May 24, 2018, to ALLEN – “Yes”
- u. May 24, 2018, from ALLEN – “Ok cool I’ll have some next week”
- v. May 29, 2018, from ALLEN – “I got 4 with your name on them” and “Yeah psq20s”
- w. May 29, 2018, to ALLEN – “Sweet”
- x. June 13, 2018, from ALLEN – “Hey bro would you be interested in 10 more”
- y. June 13, 2018, to ALLEN – “Maybe” and “Yeah”
- z. June 13, 2018, from ALLEN – “I’ll swing possibly tomorrow but most likely next week”

11. A review of the transfer paperwork described above indicates a “transfer” of 5 PSQ-20s by ALLEN on May 29, 2018, consistent with ¶ 10.v. Further, there is “transfer” paperwork for 10 PSQ-20s dated 6/20/2018, consistent with the texts at

¶ 10.x. and z.

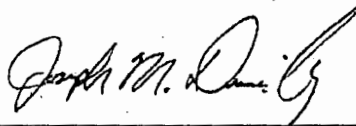
12. During a proffer statement on April 24, 2019, BEAUBIEN said, among other things, he purchased military equipment, including AN/PSQ-20s, from "Bryan," described as a "CW2" (Chief Warrant Officer 2) and to whom BEAUBIEN referred as "Chief."



### CONCLUSION

13. Based on the foregoing, your Affiant respectfully asserts that there is probable cause to believe that ALLEN has stolen U.S. property with the intent to sell it in violation of 18 U.S.C. § 641. I respectfully request that this Court issue the requested Criminal Complaint and Arrest Warrant for ALLEN.

Sworn to under the pains and penalties of perjury.



DCIS Special Agent Joseph M. Duracinsky

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit.

Dated: August 5, 2019



Robert T. Numbers, II

United States Magistrate Judge